

## **EAST AYRSHIRE COUNCIL**

### **COMMUNITY SERVICES COMMITTEE – 14<sup>th</sup> SEPTEMBER 2005**

#### **HOUSES IN MULTIPLE OCCUPATION UPDATE**

##### **Report by the Executive Director of Neighbourhood Services**

#### **1. PURPOSE OF REPORT**

- 1.1 To advise and update the Community Services Committee of the number and type of Houses in Multiple Occupation (HMO) which are licensed and the number of licences which are pending.
- 1.2 To advise the Committee of the other HMO activities which are ongoing.

#### **2. BACKGROUND**

- 2.1 At the meeting of Community Services Committee on 20<sup>th</sup> September 2000 a report was submitted outlining the steps which were necessary to licence Houses in Multiple Occupation.
- 2.2 The Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000 as amended 2003 make it an offence for an owner of an HMO to operate an HMO without a licence.
- 2.3 An HMO is a house where there are 3 or more residents from more than 2 families, who share facilities.

#### **3. CURRENT SITUATION IN RESPECT OF HOUSES IN MULTIPLE OCCUPATION**

- 3.1 Ten HMO licences have been issued; this consists of 8 new licences and 2 renewals. The HMO premises licensed consist of 2 Homeless Persons units, 2 Very Sheltered Accommodation units, 3 Housing Association premises, 2 Women's Refuge premises and 1 NHS Trust accommodation.
- 3.2 In addition, 5 HMO applications have currently been lodged, and are at various stages of the licensing process. The applications lodged are all Private Landlord premises.
- 3.3 A number of premises, which might have fallen within the licensing regime, have now reduced their tenancy numbers to avoid having to submit an application.

- 3.4 One HMO with 6 tenants is currently being monitored and the owner encouraged to apply for licence. Failure to co-operate in this regard may result in legal action.
- 3.5 Of the HMOs identified a number approached the local authority voluntarily, whilst others were identified by staff as a result of investigation and enquiry.
- 3.6 Advertising and publicity of the licensing regime has been undertaken and will continue to be reinforced to raise public awareness of House in Multiple Occupation.
- 3.7 Environmental Health are continuing to liaise with other departments and agencies to increase awareness of HMOs.
- 3.8 Investigations are ongoing to identify possible unlicensed HMOs.

#### **4. FINANCIAL IMPLICATIONS**

- 4.1 Funding for implementation of the licensing regime is provided directly by the Scottish Executive.

#### **5. LEGAL IMPLICATIONS.**

- 5.1 The Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000 as amended 2003.

#### **6. POLICY IMPLICATIONS**

- 6.1 Nil.

#### **7. CONCLUSIONS**

- 7.1 Progress has been made with the identification and licensing of HMO's to ensure consistent standards within the properties.
- 7.2 Whilst there has been good progress in identifying and licensing HMOs, it is believed that there are still some HMO's in East Ayrshire which require to be brought within the licensing system.
- 7.3 Work is ongoing to identify the HMOs where owners are reluctant to come forward.

#### **8. RECOMMENDATIONS**

- 8.1 The Community Services Committee is invited to note this report.

William Stafford  
**Executive Director of Neighbourhood Services**

18<sup>th</sup> August 2005

WS/PLT/RRS

### **LIST OF BACKGROUND PAPERS**

1. The Civic Government (Scotland) Act 1982 (Licensing of Houses in Multiple Occupation) Order 2000 as amended 2003

Anyone wishing to inspect the background papers listed above should contact John F Crawford on 01563 576111.

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## For information purposes only

### 10 Licences (7 new, 2 renewal)

2	Homeless persons units	(I)	St Andrews Court, Kilmarnock *
		(II)	Peden Court, Cumnock*
2	Very sheltered	(I)	Menzies Court, Cumnock*
		(II)	Glebe Court, Cumnock*
3	Housing Association	(I)	8A Montgomery Place, Kilmarnock*
		(II)	8C Montgomery Place, Kilmarnock*
		(III)	Cuthbert Place, Kilmarnock*
2	Women's Refuge	(I)	30/32 Dundonald Road, Kilmarnock*
		(II)	Back Rogerton Cres. Auchinleck*
1	NHS Trust	(I)	Lister Street, Kilmarnock*

### 5 Applications Lodged

5	Private Landlord	(I)	101 Main Street, Auchinleck*
		(ii)	82A John Finnie Street, Kilmarnock*
		(iii)	82B John Finnie Street, Kilmarnock*
		(iv)	Peesweep Lodge, Lugar
		(v)	76 2 <sup>nd</sup> Floor John Finnie Street Kilmarnock

### 7 unlicensed HMOs- Reduced Numbers

1	NHS Trust	(I)	Simpson Street, Crosshouse*
6	Private Landlord	(I)	76 Main Street, Newmilns 1 <sup>st</sup> Floor
		(II)	76 Main Street, Newmilns 2 <sup>nd</sup> Floor
		(III)	31 King Street, Newmilns
		(IV)	56 Loudoun Road, Newmilns
		(V)	118 Main Street, Newmilns
		(VI)	80A Dundonald Road, Kilmarnock

### 1 HMO identified – Working to encourage landlord to comply

1	Private Landlord	(I)	8 Morton Place, Kilmarnock
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### 23 HMOs Documented

\*Owner approached East Ayrshire Council to apply for an HMO Licence.